

Perfluorinated Chemicals (PFCs) in Paulsboro Wells (1/17/14 update)
(nanograms per liter; parts per trillion)

<i>Well/ Treatment Plant</i>	<i>Date</i>	<i>PFHxA (C6)</i>	<i>PFHpA (C7)</i>	<i>PFOA (C8)</i>	<i>PFNA (C9)</i>	<i>PFDA (C10)</i>	<i>PFBS (C4-S)</i>	<i>PFHxS (C6-S)</i>	<i>PFOS (C8-S)</i>
Well 7 (raw)	8/19/09	6	<5	26	96	<5	<5	<5	10
Well 7 (treated)	3/8/11	---	---	27	---	---	---	---	12
Well 7 (treated)	6/4/11	---	---	24	---	---	---	---	10
Well 7 (treated)	8/23/11	---	---	30	---	---	---	---	13
Well 7 (treated)	2/7/12	---	---	34	---	---	---	---	15
Well 7* (raw)	9/17/13	4.9	3.8	32	140	<2.5	<25	4.4	6.0
Well 7* (treated)	9/17/13	5.0	4.0	35	150	<2.5	<25	4.7	7.4
Well 7** (raw)	11/26/13	---	---	23/24	92/88	J/J	---	---	4.8/4.9
Well 7** (treated)	11/26/13	---	---	26/27	96/110	J	---	---	5.7/5.9
Well 8 (raw)	9/17/13	6.8	3.7	19	15	<2.5	<25	5.9	8.4
Well 8 (treated)	9/17/13	6.4	4.0	18	16	<2.5	<25	6.1	9.0
Well 8** (raw)	11/26/13	---	---	19	15	J	---	---	15
Well 4 (treated, used until 5/12)	3/8/11	---	---	33	---	---	---	---	20
Well 4 (treated, used until 5/12)	6/4/11	---	---	25	---	---	---	---	14
Well 4 (treated, used until 5/12)	8/23/11	---	---	35	---	---	---	---	24
Well 4 (treated, used until 5/12)	2/7/12	---	---	42***	---	---	---	---	26
Well 5 (treated, used until 5/12)	3/8/11	---	---	96	---	---	---	---	23
Well 5 (treated, used until 5/12)	6/4/11	---	---	81	---	---	---	---	21
Well 5 (treated, used until 5/12)	8/23/11	---	---	42	---	---	---	---	18
Well 5 (treated, used until 5/12)	2/7/12	---	---	33	---	---	---	---	14
Well 9* (raw – not in use)	9/17/13	8.5	3.5	53	10	<2.5	<25	3.5	4
Well 9** (raw, inactive)	11/26/13	---	---	34	7.4	<2.5	---	---	J

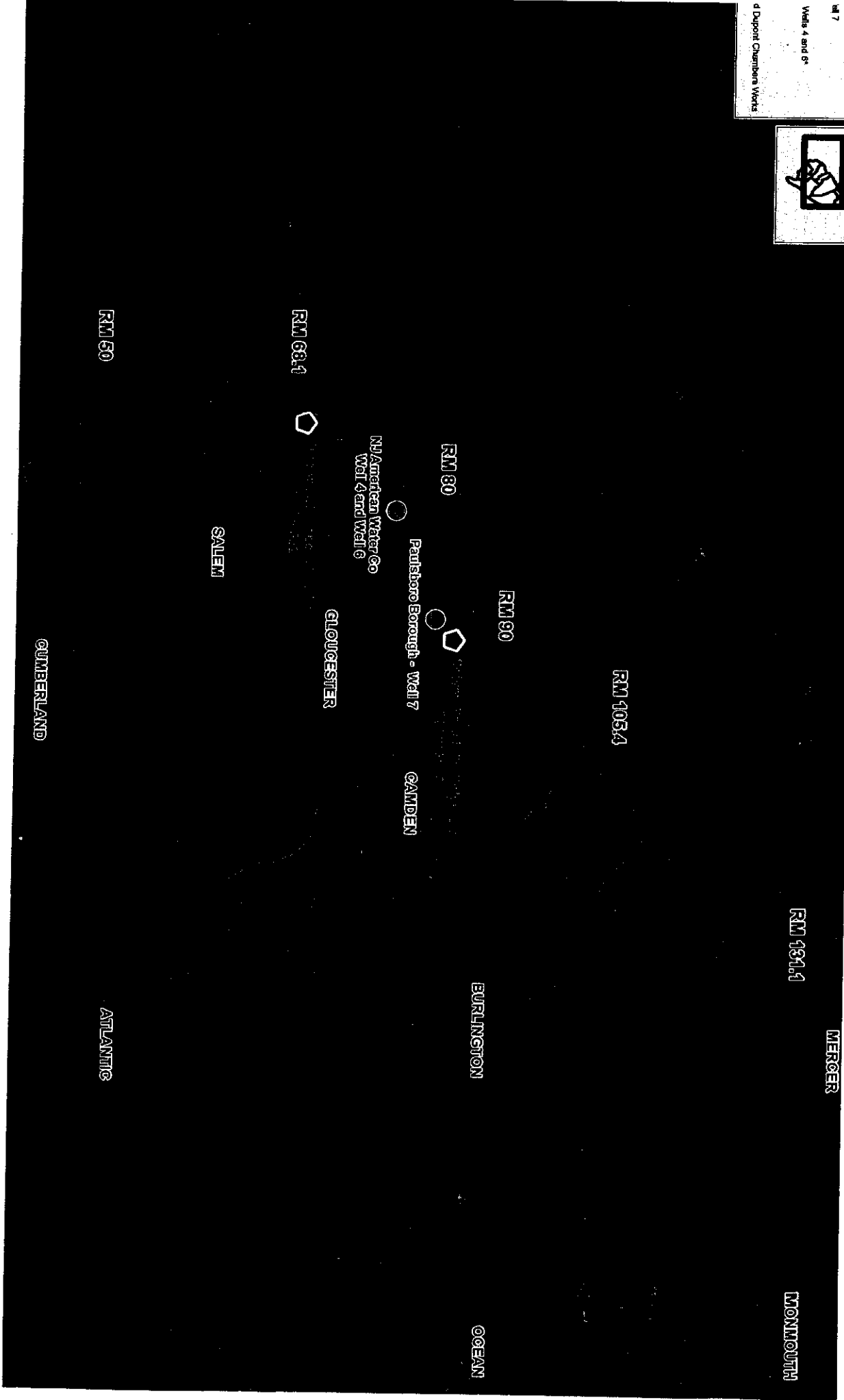
NOTES: TREATED WATER WELLS are in BOLD.

* C11, C12, C13, and C14 were analyzed in these samples and were not detected (≤ 2.5 ng/L).

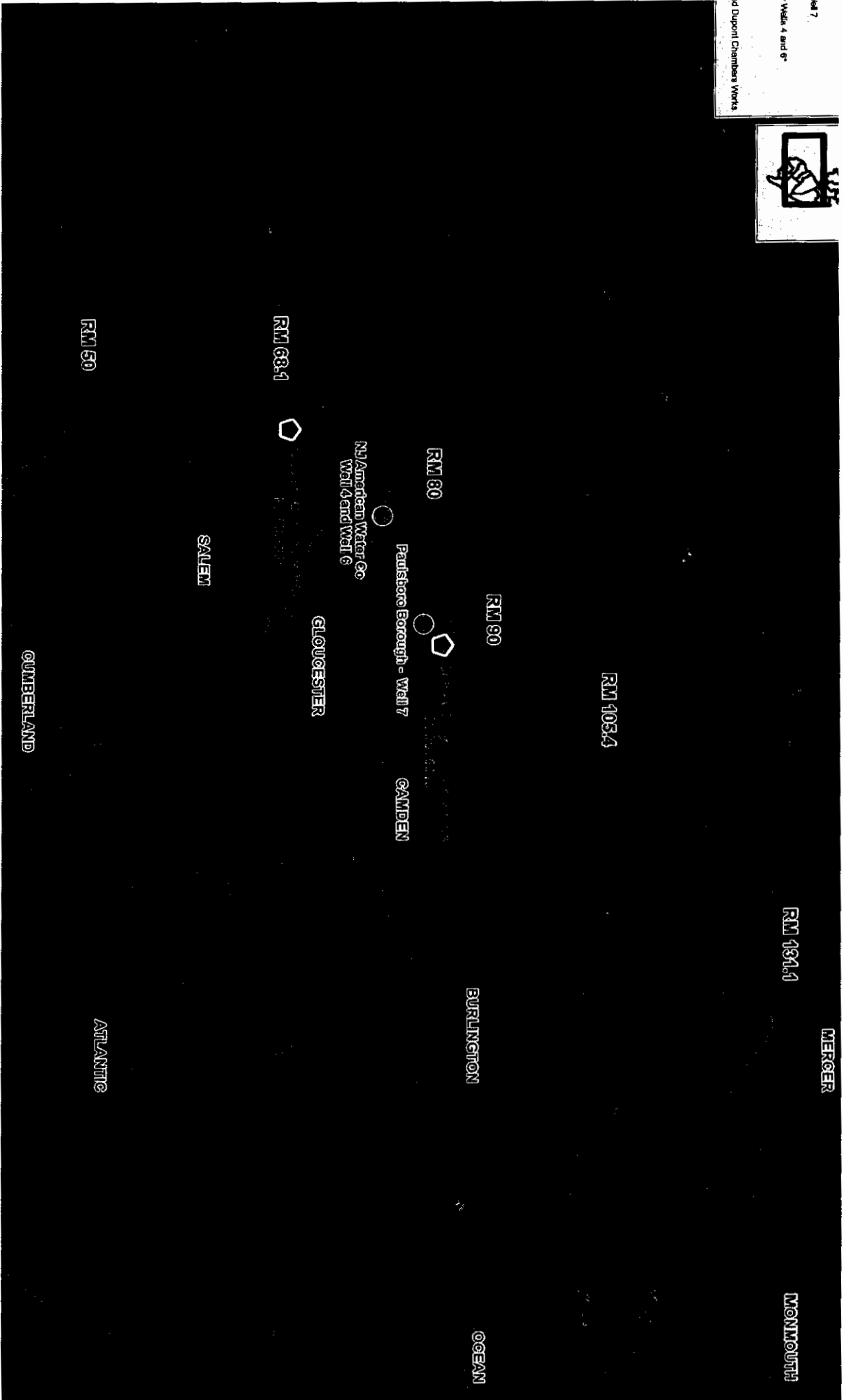
** 11/26/13 samples taken by Solvay. Data quality review by DEP Office of Data Quality has not yet been completed. Well #7 samples were split between two labs. J means detected below Reporting Level. C11 was also detected below Reporting Level (J) in samples from Wells 7 and 8.

---- Not Analyzed.

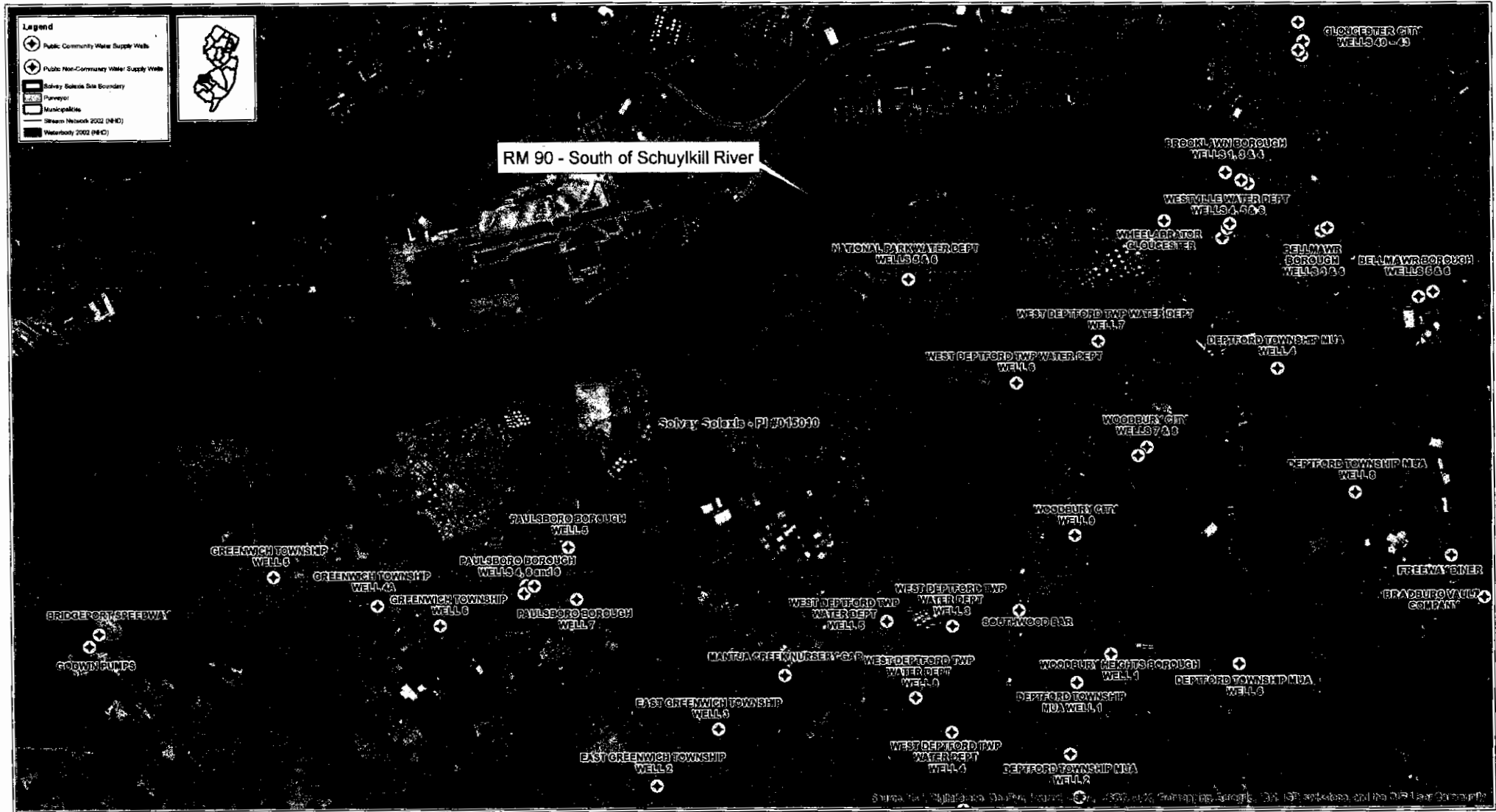
*** PFOA data in GREEN exceeds NJ PFOA guidance of 40 ng/L.



DRB Sampling points.

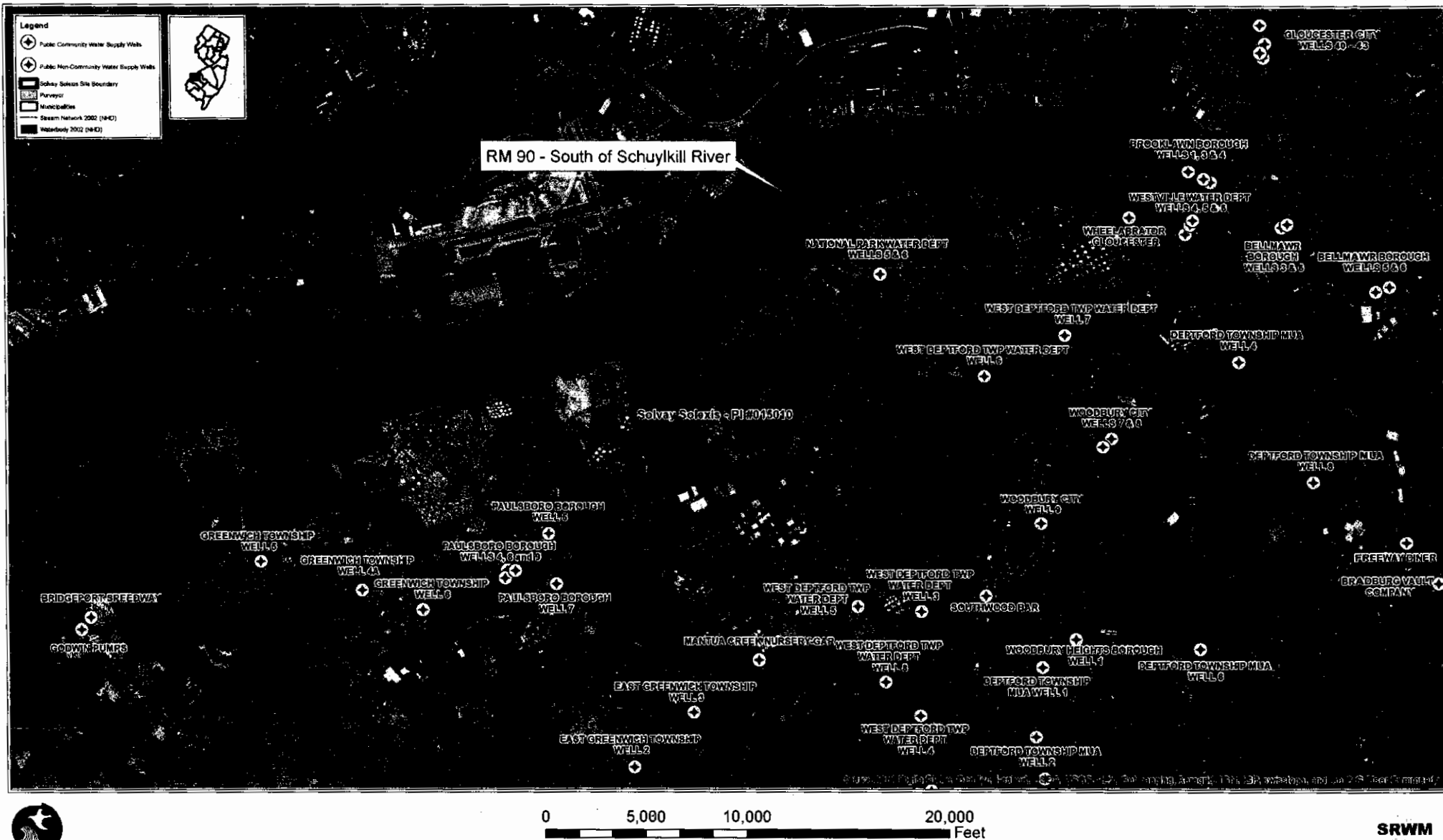


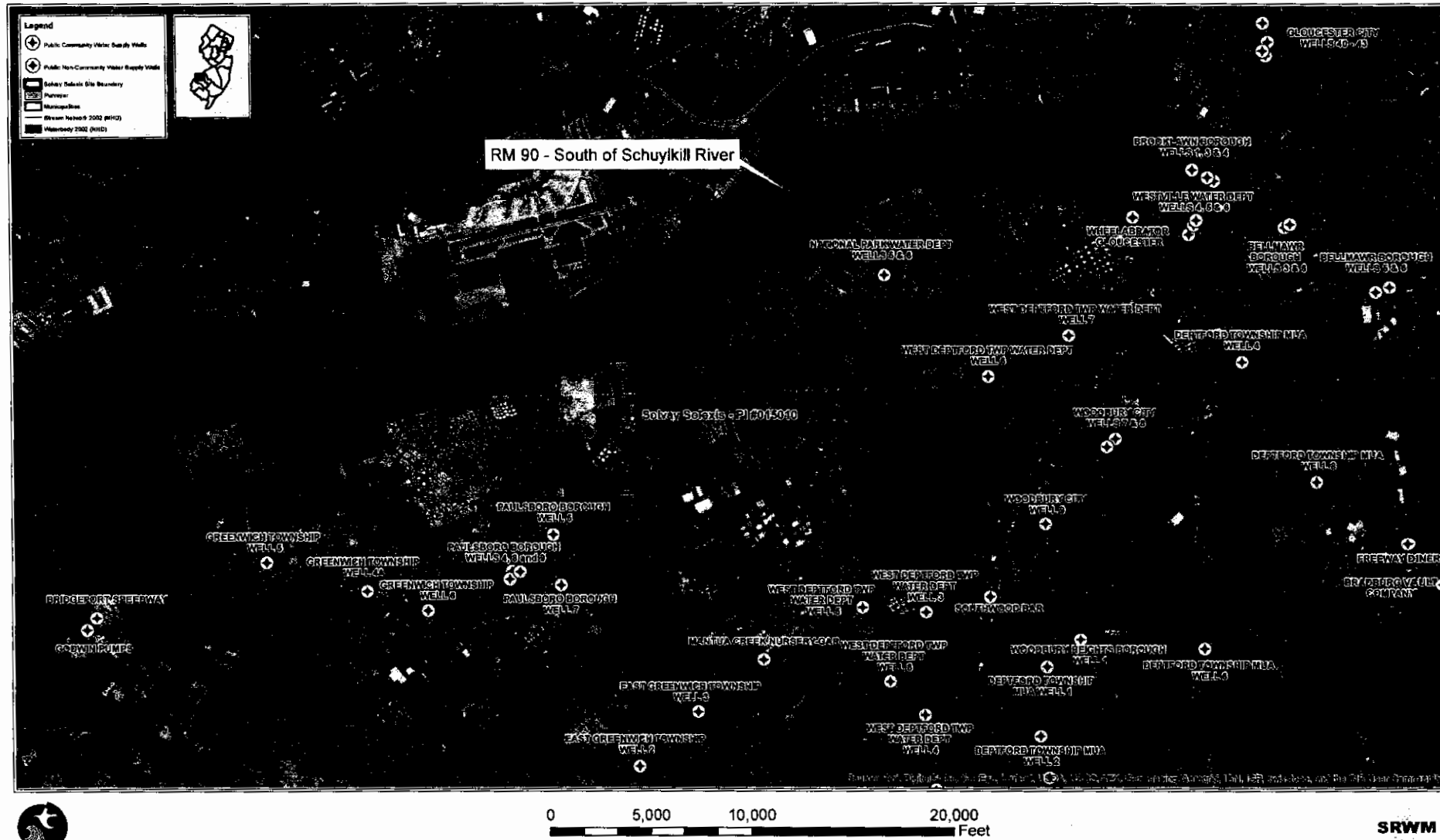
Solvay Specialty Polymers - PI #015010

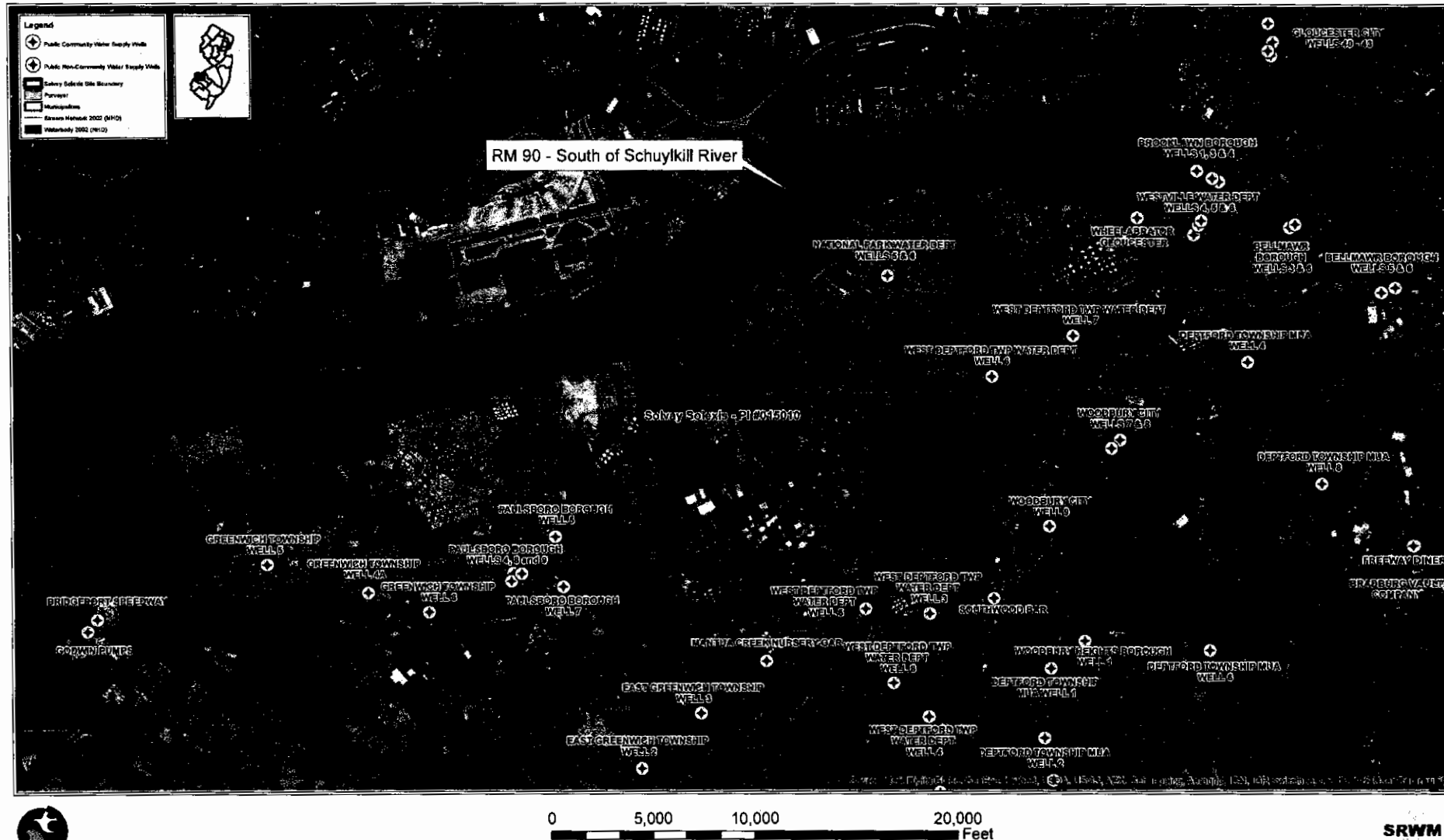


0 5,000 10,000 20,000 Feet

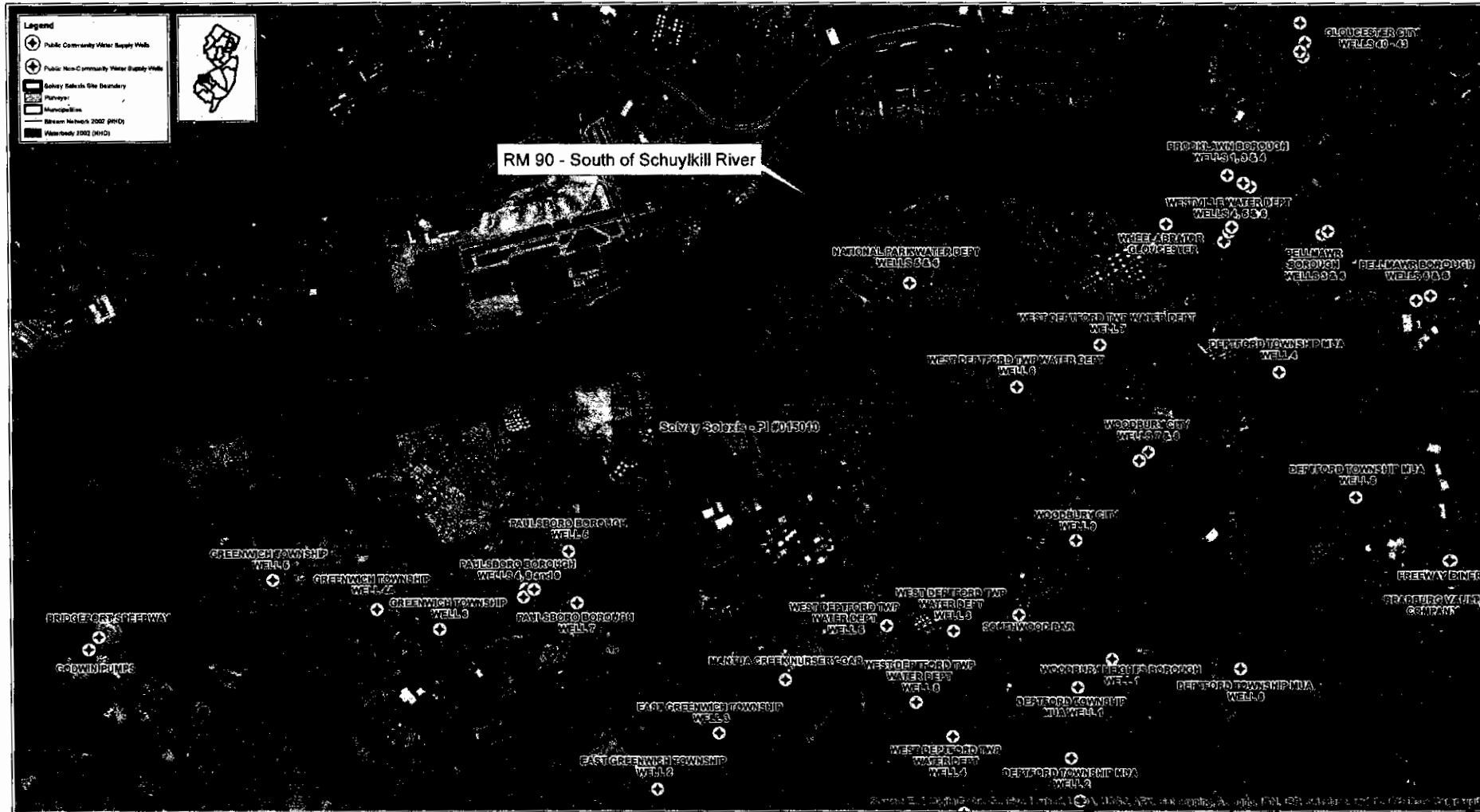
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○ 1515 Market Street
Suite 1300
Philadelphia, PA
19102

215.557.0099
215.557.0673 fax

✓ Woodland Falls
Corporate Center
210 Lake Drive East
Suite 101
Cherry Hill, NJ
08002-1163

856.667.0500
856.667.5133 fax

Mark R. Cuker^{††}
Gerald J. Williams^{††}
Esther E. Berezofsky^{††}
Beth G. Cole[†]
Alan H. Sklarsky[†]
Andrew F. Erba^{††§§}
Samuel Abloeser[†]
Kevin Haverty^{††*}
Maria C. Janoski^{††}
Joseph A. Venti^{††}
Christopher Markos^{††}
Michael J. Quirk^{††§}

[†] Member, Pennsylvania Bar

^{††} Member, New Jersey Bar

[§] Member, Conn. Bar

^{§§} Member, Wash., D.C. Bar

February 4, 2014

By Certified Mail, Return Receipt Requested

George Corbin, President

Solvay Specialty Polymers USA, LLC (and affiliates listed in Exhibit B)

333 Richmond Avenue

Houston, TX 77098

James Harton, President

Rhodia, Inc.

8 Cedarbrook Drive

Cranbury, NJ 08512

Mitch Gertz

Solvay Specialty Polymers USA, LLC, et al.

10 Leonard Lane

Thorofare, NJ 08086

Corporation Service Co., Registered Agent

Solvay Specialty Polymers USA, LLC, et al

830 Bear Tavern Road

West Trenton, NJ 08628

Bernard Roche

President

Arkema, Inc.

900 First Avenue

King of Prussia, PA 19406

Corporation Service Co., Registered Agent

Arkema, Inc.

830 Bear Tavern Road

West Trenton, NJ 08628



* Certified by the Supreme Court of New Jersey as a Civil Trial Attorney



**Re: Notice of Intent to Sue under Section 7002(a)(1)(B) of the
Resource Conservation and Recovery Act, 42 U.S.C. § 6972(a)(1)(B):
Solvay Facility, 10 Leonard Lane, West Deptford, New Jersey**

Dear Messrs. Corbin, Harton and Gertz:

This letter constitute the Notice of Intent of the Hazleton and Richardson families ("the Resident Families"), who reside on the 500 block of Billings Ave. in Paulsboro NJ, to Sue Solvay Specialty Polymers USA, LLC, the affiliates listed in Exhibit A, Rhodia, Inc., and Mitch Gertz (collectively, Solvay) as well as Arkema Inc. ("Arkema") as current and past owners and operators of the facility located at or about 10 Leonard Lane, Thorofare (West Deptford), New Jersey (the Facility), under Section 7002(a)(1)(b) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6972(a)(1)(B). The identities of all of the family members are set forth on Ex. A hereto. Specifically, this letter gives notice of the Resident Families' intent to seek abatement of an imminent and substantial endangerment to health and the environment resulting from Solvay's and Arkema's disposal of solid waste or hazardous waste at or from the Facility. The undersigned represents the Resident Families.

Solvay, Arkema and/or their predecessor companies at the Facility have improperly disposed of solid waste or hazardous waste there for decades, and this waste includes perfluorochemical compounds (PFCs) such as perfluorononanoic acid (PFNA), perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), and other known or suspected toxic compounds, certain of which Solvay has patented. These toxic PFCs have entered the Borough of Paulsboro's groundwater, have migrated to the Borough's public water supply wells, and permeate Mantua Creek and the Delaware River in and adjoining Paulsboro.

While there have been limited remedial activities at the Facility under the supervision of the New Jersey Department of Environmental Protection (NJDEP) since 1990, apparently under delegation from the United States Environmental Protection Agency, the delegation to NJDEP is facially unlawful (this is a RCRA facility, and New Jersey does not have an approved state hazardous waste program pursuant to 40 C.F.R. Part 272). Moreover, twenty-three years of direct NJDEP oversight failed to prevent ongoing PFC use and disposal at the Facility, failed to prevent or abate contamination or migrating to the Borough's public and private drinking water sources, failed to prevent or abate ubiquitous contamination of Mantua Creek and the Delaware River, and failed to prevent ingestion and bioaccumulation of PFCs by the Paulsboro population, including sensitive subpopulations of infants and children. These failures, and more than two decades of leaving the Resident Families exposed to toxic hazards from Solvay and Arkema's solid or hazardous waste, make clear there is no basis to believe that action by Solvay, Arkema

or NJDEP will result in abatement of the imminent and substantial endangerment resulting from the Facility's operations and waste handling, storage and disposal.

Section 7002(a)(1)(B) of RCRA, 42 U.S.C. § 6972(a)(1)(B), allows affected persons to bring suit:

against any person . . . including any past or present generator, past or present transporter, or past or present owner or operator of a treatment, storage, or disposal facility, who has contributed or is contributing to the past or present handling, storage, or disposal of any solid or hazardous waste which may present an imminent and substantial endangerment to health or the environment.

The Resident Families are normally dependent on water from the Paulsboro public water supply for all domestic purposes. Recently, they learned that hazardous or solid waste that Solvay generated and/or disposed of on public and private property has migrated into regional drinking water resources, including the Paulsboro public water supply, and river and creek sediment in Paulsboro, and presents an imminent and substantial endangerment to health and the environment. Nearly twenty-four years after NJDEP assumed oversight, Solvay, Arkema and the NJDEP have failed to take the actions necessary to abate this ongoing imminent and substantial endangerment.

The pollution of Paulsboro's water supply has severely impacted the Resident Families in the use and enjoyment of their property. Both families have children under four years of age and, since learning of the threat to Paulsboro's public water, have been using bottled water for drinking, cooking, and other uses.


The Resident Families will file suit in the United States District Court for the District of New Jersey, and will seek abatement of the imminent and substantial endangerment caused by the Facility. We anticipate that the federal court complaint may include claims under New Jersey's Environmental Rights Act (ERA), N.J.S. 2A:35A-1, *et seq.* and common law causes of action as well. We will ask the Court, *inter alia*, to order Solvay and Arkema to commence immediately with testing and remediation of hazardous waste emanating from the Facility; to install, operate, maintain and pay for measures to ensure the safety of the Borough's public water wells; to remove hazardous waste from Mantua Creek and portions of the Delaware River adjacent to Paulsboro that are a source of PFC exposure for the Resident Families. The Resident Families also seek to have their blood tested for the presence of PFCs.

This will also serve to provide you with at least 30 days advance notice of our intent to file suit under the New Jersey Environmental Rights Act, N.J.S.A. 2A:35A-2), *et seq*, because of the continuous, intermittent and/or recurrent violation of the statutes, regulations and ordinances of New Jersey arising out of the pollution of the water supply of the Borough of Paulsboro. We intend to sue for declaratory and equitable relief, and for such civil penalties as may be provided by law.

If you have any questions about this letter or wish to discuss its contents with us, please contact me at the letterhead address and phone number. We request that if you wish to discuss this matter before the complaint is filed, you contact us as quickly as possible. We intend to file the complaint shortly after the expiration of the 90-day notice period provided by 42 U.S.C. § 6972(b)(2)(A) unless the Facility promptly enters and agreement with the Borough providing the relief to which the Borough is entitled, including (without limitation) enforceable requirements promptly and adequately to abate the endangerment.

Very truly yours,

WILLIAMS CUKER BEREZOFSKY



Mark R. Cuker

MRC/jtt
Enclosure

cc: **By Certified Mail**

The Honorable Gina McCarthy
Administrator
United States Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

The Honorable Judith Enck
Regional Administrator
United States Environmental Protection Agency, Region 2
290 Broadway
New York NY 10007-1866

The Honorable Eric Holder

Attorney General
United States Department of Justice
10th & Pennsylvania Avenues N.W.
Washington, D.C. 20530

Robert G. Dreher
Acting Assistant Attorney General
United States Department of Justice
10th & Pennsylvania Avenues N.W.
Washington, D.C. 20530

The Honorable Paul Fishman
United States Attorney
970 Broad Street, Suite 700
Newark, NJ 07102

The Honorable Chris Christie
Governor, State of New Jersey
125 West State Street
P.O. Box 001
Trenton, NJ 08625-0001

The Honorable Bob Martin, Commissioner
New Jersey Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625

The Honorable John J. Hoffman
Acting Attorney General
Richard J. Hughes Justice Complex
P.O. Box 112
25 Market Street
Trenton, NJ 08625-0112

By First-Class Mail:

Mark Pederson
Assistant Commissioner for Site Remediation
New Jersey Department of Environmental Protection
401 East State Street
P.O. Box 402
Trenton, NJ 08625-0402

✓ Andy Park
United States Environmental Protection Agency, Region 2
290 Broadway
New York, NY 10007-1866

Loren Lasky
New Jersey Department of Environmental Protection
P.O. Box 420
Trenton, NJ 08625-0420

Bureau of Case Management
New Jersey Department of Environmental Protection
Mail Code: 401-05F
P.O. Box 420
Trenton, NJ 08625-0420

Fred Sickels
Director of Water Supply and Geoscience
New Jersey Department of Environmental Protection
Mail Code 401-03
Trenton, NJ 08625

Paul E. Linskey, Esquire
Chief Regulatory Counsel
Solvay North America Legal Services
8 Cedarbrook Drive
Cranbury, NJ 08512

Exhibit A

Hazelton Family
512 Billings Avenue
Paulsboro, NJ 08066

- Melissa Hazelton
- Lauren Foster
- Brianna Hazelton
- James Hazelton
- Everly Hazelton

Richards Family
525 Billings Avenue
Paulsboro, NJ 08066

- Thomas Richardson
- Rebecca Richardson
- Andrew Richardson
- Ava Richardson

Exhibit B
Affiliates

Solvay USA, Inc.

Solvay Solexis, Inc.

Solvay Performance Chemicals, Inc.

Solvay Minerals, Inc.

Solvay Interlox, Inc.

Solvay Holding, Inc.

Solvay Fluoropolymers, Inc.

Solvay Fluorides, Inc.

Solvay Draka, Inc.

Solvay Chemicals, Inc.

Solvay America, Inc.

Solvay America (NJ), Inc.

Solvay Fluorides, LLC.